

MAINE STATE LEGISLATURE

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L.D. 374

(Filing No. S-57)

STATE OF MAINE
SENATE
112TH LEGISLATURE
FIRST REGULAR SESSION

COMMITTEE AMENDMENT "A " to S.P. 135, L.D. 374,
Bill, "AN ACT to Regulate Public Swimming Pools and
Spas."

Amend the bill by striking out all of that part
designated "§2664." and inserting in its place the
following:

'§2664. Rules

The department may promulgate and enforce rules
necessary to protect public health and safety and
carry out the provisions of this chapter relating di-
rectly to the safe and sanitary design, construction,
and operation of public swimming pools and spas.'

Further amend the bill in that part designated
"§2665." by striking out all of the first paragraph
and inserting in its place the following:

'No person may begin construction of a public
swimming pool or spa or substantially alter or recon-
struct any public swimming pool or spa without first
having submitted plans and specifications to the de-
partment for review and approval. The department re-
view shall be limited to matters relating directly to
safety and sanitation.'

Further amend the bill in that part designated
"§2666." by striking out all of subsections 3 and 4
and inserting in their place the following:

'3. Supervision. Every public swimming pool or
spa shall be under the supervision of a capable indi-
vidual who shall assume the responsibility for com-
pliance with this chapter relating to the safe and
sanitary operation and maintenance of a public swim-

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1 ming pool or spa. Nothing in this chapter may be
2 construed to require a lifeguard to be on duty when a
3 public swimming pool or spa is open to the public.'

4 Further amend the bill in that part designated
5 "§2667." in the 3rd line (page 4, line 18 in L.D.) by
6 striking out the underlined word "all" and inserting
7 in its place the underlined word 'the' and in the 4th
8 line (page 4, line 19 in L.D.) by striking out the
9 underlined words "the department rules"

10 Further amend the bill in that part designated
11 "§2668." in the 3rd and 4th lines (page 4, lines 24
12 and 25 in L.D.) by striking out the underlined words
13 "duly promulgated rules referred in" and inserting in
14 their place the underlined words 'provisions of'

15 Further amend the bill by striking out all of
16 that part designated "§2669." and inserting in its
17 place the following:

18 '§2669. Penalties

19 The department may seek injunctive or other ap-
20 propriative judicial relief for violations of any
21 provisions of this chapter.'

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STATEMENT OF FACT

2 This amendment limits the scope of the department
3 review and regulation of public swimming pools and
4 spas to matters of safety and sanitation. It also
5 deletes an unnecessary provision which implied that
6 all facilities were required to have bath houses and
7 adds language to ensure that a lifeguard is not re-
8 quired by this bill.

9 This amendment also deletes the provisions for a
10 fine for violation of this chapter.

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Reported by Senator Bustin for the Committee on Human Resources.
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(4/24/85) (Filing S S-57)